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12	UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION	
13		
14	In re:	Case No. 19-30088 (DM)
15	PG&E CORPORATION	Chapter 11
l		
16	-and-	(Lead Case)
17	-and- PACIFIC GAS AND ELECTRIC COMPANY,	(Lead Case) (Jointly Administered)
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17 18 19 20 21	PACIFIC GAS AND ELECTRIC COMPANY, Debtors	(Jointly Administered) AMENDED DECLARATION OF MICHAEL A. KELLY IN SUPPORT OF
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17 18 19 20 21 22	PACIFIC GAS AND ELECTRIC COMPANY, Debtors Affects PG& E Corporation Affects Pacific Gas and Electric Company Affects both Debtors	AMENDED DECLARATION OF MICHAEL A. KELLY IN SUPPORT OF AMENDED MOTION OF THE OFFICIAL COMMITTEE OF TORT CLAIMANTS FOR RELIEF FROM AUTOMATIC STAY TO PERMIT STATE COURT JURY TRIAL OF 2017 TUBBS WILDFIRE CLAIMS Date: July 24, 2019
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- I, Michael A. Kelly, declare the following under penalty of perjury pursuant to 28 U.S.C. section 1746:
- 1. I submit this Amended Declaration in support of the Amended Motion of the Official Committee of Tort Claimants for Relief from Stay to Permit State Court Jury Trial of a 2017 Tubbs Wildfire Claims ("Motion"). I have personal knowledge of the facts set forth in this declaration.
- 2. I am a member of the State Bar of California and a partner in the law firm of Walkup, Melodia, Kelly & Schoenberger.
- 3. After the 2017 North Bay fires occurred, individual victims filed personal injury, wrongful death, and property damage civil actions for damages suffered in or by reason of the fires against Pacific Gas & Electric Company ("PG&E") in Sonoma and Napa Counties. The litigation was eventually coordinated in a Judicial Council Coordination Proceeding entitled California North Bay Fire Cases, JCCP No. 4955, in the Superior Court of California for the County of San Francisco.
- 4. The judge assigned to the California North Bay Fire Cases, Judge Curtis Karnow, entered Case Management Order No.1, dated March 6, 2018, attached hereto as **Exhibit A**, which appointed me and Frank Pitre as two of the three co-lead counsel in the litigation and an Executive Committee leadership team of lawyers representing the individual plaintiffs.
- 5. Co-lead counsel Frank Pitre and I, in consultation with the leadership team, have identified the individual plaintiffs identified on Exhibit A to the Motion as plaintiffs whose personal injury, wrongful death, and related property damage claims are entitled to preference for early trial settings pursuant to Code of Civil Procedure ("CCP") section 36 within 120 days of the order determining the cases are entitled to preference; the claims can be ready for trial within the 120 day preference period; and have agreed to request the Court in the North Bay Fire Cases, JCCP No. 4955, to set one or more of these plaintiffs' personal injury, wrongful death, and property damage cases for an immediate trial pursuant to CCP section 36, subject to the Bankruptcy Court terminating the automatic stay in favor of jury trials of the claims in the California Superior Court.

6. The individual Plaintiffs identified on Exhibit A to the Motion have all agreed to try		
their claims now pursuant to CCP section 36. These Plaintiffs contend that they qualify for a		
preferential trial setting by reason of age or infirmity, or other good cause that the plaintiffs and		
their counsel contend may justify a preferential trial setting under CCP section 36(e), thereby		
permitting the court to set a trial within 120 days of the preference order as stated in section 36.		
The Master Complaint that sets forth the individual Plaintiffs' claims in the North Bay Fire Cases,		
JCCP 4955, is attached as Exhibit B to the Motion. The thirteen individual Plaintiffs' filed and		
unfiled complaints, including adoptions the Master Complaint, are attached collectively as Exhibit		
C to the Motion. The filed complaints are those of Barbara Thompson, John Caslin, Elizabeth		
Fourkas, Raymond Breitenstein, Greg and Christina Wilson, Monte Kirven, and Carmen and		
Armando Berriz. The unfiled complaints of Phyllis Lowe, Don Louis Kamprath, Raleigh Fohrman		
and William Edelen are ready to be filed upon the Bankruptcy Court granting relief from stay to do		
SO.		
7. The Plaintiffs identified in Exhibit A to the Motion have not filed claims in the		
bankruptcy case.		

Attached hereto as **Exhibit B** is a true and correct copy of the Superior Court's Case Management Order No. 4 in the North Bay Fire Cases, JCCP 4955.

[remainder of page intentionally left blank]

9. Attached hereto as **Exhibit C** is a true and correct copy of the transcript of the hearing in North Bay Fire Cases, JCCP No. 4955. Page 16 of the transcript records PG&E counsel Kevin Orsini's explanation that the Tubbs Fire claims were "two-thirds of the potential liabilities, that one has the highest probability of getting all the others tied up in a global resolution. . . . we set the Tubbs trial first for precisely that reason." Pages 42 and 43 of the transcript record PG&E's counsel's explanation that "from PG&E's perspective, facing the specter of all these many cases with all of these different fires, we can't figure out how to resolve these until we have some visibility into what the resolution is going to be of the Tubbs case."

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 9, 2019.

Michael A. Kelly

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